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RT FROM



## CITY ADMINISTRATIVE OFFICER

TO The Mayor <i>ms</i>	DATE 9/4/74	CAO FILE No. 0220-00765 (2)
REFERENCE Verbal Request of the Mayor		COUNCIL FILE No.
SUBJECT County operation of City beaches		COUNCIL DISTRICT

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APR 26 1975

*Recreation Bathing beaches*

*Recreation LA area*

SUMMARY

We have reviewed the concept of the County of Los Angeles operating and maintaining those beaches currently owned and/or operated by the City of Los Angeles. We believe the concept to be sound and of benefit to the City (both the municipal corporation and the taxpayer).

The consolidation of governmental functions of necessity raises many issues, questions and concerns which must be dealt with. The staff report of the Recreation and Parks Department has focused on some of these. In the findings section of this report we have addressed ourselves to most of those raised. We caution that the list cannot be considered complete or exhaustive.

There can be no doubt our coastline and its beaches represent a substantial asset to the recreational program of the City of Los Angeles. This asset is however but part of the overall nearly 35 miles of usable beach within Los Angeles County. Beach patrons do not differentiate in their use of the beach on the basis of political jurisdictions. Operation by a single agency offers an opportunity for economies in maintenance, standardization of lifeguard service and training and overall coordination of shoreline utilization and planning.

We do not view the proposal to consolidate these operations as a surrender of jurisdiction or the giving away of City assets. Instead we believe the proposal permits the City to join in partnership with the County of Los Angeles for the effective management of the entire beach resource with the added benefit to the City taxpayer by spreading the cost of all beach operation over the more appropriate tax and patron base of the full County.

(Summary Continued)

*C. Edwin Piper*

CITY ADMINISTRATIVE OFFICER



With respect to the mechanism whereby the County might assume the operation of City beaches the City Attorney has suggested the vehicle of a joint powers agreement might be appropriate. We believe such an agreement offers several advantages. The joint powers agreement could serve as the instrument to specify all of the rights and responsibilities of the parties stipulating City retention of title to its property, City continued use and control of oil revenues, City provision of support services (law enforcement, animal regulation, etc.), County absorption of City lifeguard personnel and other matters of substance. The joint powers agreement would, as any other contract, include provision for termination. In addition, provision could be made for the issuance of revenue bonds.

Many of the questions raised relative to the proposed consolidation of the function are questions which can and will have to be addressed during implementation should the decision be made to consolidate. We foresee no insurmountable problems which would preclude uniting beach operation under one jurisdiction.

#### RECOMMENDATION

It is recommended:

1. The Mayor and Council request the Board of Supervisors to adopt the policy that the County assume the operation of those beaches currently owned and/or operated by the City of Los Angeles through means of a joint powers agreement; and
2. Upon adoption of the City and County of the policy stated in the first recommendation; direct the City Administrative Officer with the cooperation and assistance of the City Attorney, Recreation and Parks Department and other concerned City agencies, to work with the County to prepare the necessary documents for Mayor and Council approval to accomplish the transfer of beach operations.

(Statement of Findings Attached)

<https://archive.org/details/C123316277>



FINDINGSRequest

The Mayor has proposed the City Council consider asking the County of Los Angeles to take over operation of all State-owned beaches now operated by the Department of Recreation and Parks. That proposal incorporates the City's retention of the operation of Venice and Cabrillo Beaches which are City-owned.

Background

There are 66 miles of shoreline within Los Angeles County. There are 34.5 miles of public beach with usable shoreline. Table 1 shows the ownership and operating agency for each public beach from Ventura County to Orange County. The five operating agencies are as follows:

City of Los Angeles	14.1 miles
County of Los Angeles	9.6
State of California	1.2
City of Santa Monica*	2.9
City of Long Beach	6.7
	<u>34.5 miles</u>

\*Lifeguard service only transferred to the County fiscal year 1974-75.

The ownership of the beaches operated by the City of Los Angeles is shown below:

Will Rogers State Beach	State	3.2 miles
Venice Beach	City	5.8
Dockweiler State Beach	State	1.3
Royal Palms State Beach	State	.9
White's Point Beach	U.S. Army	.8
Point Fermin Beach	City	1.3
Cabrillo Beach	City	.8
		<u>14.1 miles</u>

Recreation and Parks

The initial reaction of the staff of the Recreation and Parks Department to the Mayor's proposal was expressed to the Board of Commissioners at their regular meeting, August 1, 1974. The conclusion was that it would be "impractical and impossible" to split the operation and maintenance of City beaches by transferring only those owned by the State. Staff recommended a special session be convened to consider all facets of turning over all City-operated beaches to the County.

By report of the General Manager to the Board dated August 8, 1974, the Recreation and Parks Department staff presented its conclusions

(Findings Continued)



and recommendations with regard to the concept of transferring of City beach operations to the County.

The staff's position is that the Department has been charged with a moral, if not legal, responsibility and duty to maintain and operate the City's beaches. The staff position is "...to not only say no, but to vigorously fight the proposal in every legitimate way..."

The attachment to the staff report contained 26 questions/statements which the department staff believes must be addressed in considering the consolidation of the functions. We concur and caution that the list presented cannot be considered exhaustive and complete. If the decision is made to pursue the issue, many more questions will be raised to which answers must and will be supplied.

A proposal to transfer a municipal operation raises numerous questions relating to can, should and how such a consolidation would/could be brought about. We will attempt to touch on many of these questions in the following sections of this report and provide information to the point of enabling the Mayor and Council to make the decision as whether to pursue the matter of transfer. The following is a summary of the major issues raised by the Department in the previously mentioned staff report with our initial comments (where appropriate).

- What facilities and equipment would be transferred?

We believe this is subject to negotiation with the County. We believe the City should retain title to all currently owned real property. The Department of Recreation and Parks is in the process of updating their equipment inventory.

- What deed restrictions and easements are there on City-owned land?

In the previous comment we stated our conclusion that property title remain with the City. Current valid easements and restrictions would remain. As further information on this subject is needed it will be necessary to call on the City Attorney in cooperation with the Department.

- What would be the status of tideland and oil bonus funds?

The City position should be to retain and control the use of same.

- What would be the level of service to the public if the transfer is made and what would be the total cost to the taxpayer?

Subject to negotiation with the County. We have discussed the potential tax rate situation in other sections of this report.

- Would the Harbor Department object to the County operation of that Department's portion of Cabrillo Beach?

Initial reaction of Harbor Department representatives is no objection to the County operating under the same conditions enjoyed by the City.

- Who will provide support services such as law enforcement and animal regulation?

It is our opinion the City should continue the services.

(Findings Continued)



- How will existing concessionaires be affected?  
Subject to negotiation with the County, concession agreements should be transferred with the operation of the beaches.
- What is the effect on the Beach Capital Improvement program currently in process and under study?  
Any change in scope or concept should be subject to consideration by the Department, the Mayor and Council.
- What is the effect on City employees that might be transferred?  
Discussed in other sections of this report.
- How will the Venice Pavilion and Cabrillo Marine Museum be affected?  
It is our opinion the City would continue operation.
- How will the operations of the Venice and Cabrillo Beach fishing piers be affected?  
It is our opinion no change in the operation would be required.
- What will happen to the lifeguard minority training program?  
This question should be considered in connection with negotiation for the transfer with the County. We are informed the County has conducted a minority lifeguard training program since 1969. This, according to County representatives, has resulted in the hiring of the only black, permanent beach lifeguards (2) in the history of the United States.

#### Regional Facility

One of the principal arguments for consolidating beach operation, maintenance and financial support under one agency within an overall geographic area is that the beaches afforded by our coastline constitute a regional recreation area. The Los Angeles County Board of Supervisors adopted (January 20, 1959) the "Regional Recreation Areas Plan for Los Angeles County" which included the following definition:

A Regional Recreation Area is an extent of space, which, by its unique features and unusual and/or extensive development, affords recreational opportunities that attract large patronage from many sections of the region irrespective of political, physical, or community boundaries.

In recognition of this concept the County of Los Angeles has contributed to the operations of City beaches in varying amounts since 1940. Currently, the County contributes \$225,455 to the Department of Recreation and Parks to partially defray cost of operation and maintenance brought about by use by County residents of City beaches.

In discussing the subject of the County management of all beaches (State, County and City) with the Director, State Parks and Recreation Department, the Director expressed his position that a regional approach to planning of beach development and utilization is long overdue and might be fostered by consolidation as currently being considered.

(Findings Continued)



Benefits might be realized by the public with standardization of operations. More efficient utilization of equipment and personnel is forecast. A different training program is employed by the County due to the peace officer status of County lifeguards. The City lifeguards would be trained under this program thereby raising their level of expertise and value to all beach patrons.

The staff report of the Recreation and Parks Department addresses the concept of regional recreation facilities, acknowledging that "...the ideal arrangement advanced in the textbooks is for the County to operate all regional facilities and the City to run neighborhood and community facilities only - a neat dichotomy." The Department points out that some of the City's greatest facilities are regional in nature such as the Zoo, Griffith Park, Elysian Park, Griffith Observatory and the two City-operated Army Basins, and questions if these should also be surrendered to County jurisdiction.

While the point is well taken, we believe an important difference exists in this regional nature of the beaches as opposed to the facilities we previously referenced. The County does not operate a County zoo or observatory next door to City facilities of the same type. If the entire beach within the County is viewed as a single resource a strong case may be made for a single operator.

While the one jurisdiction concept for all beaches may appear beneficial from some of the foregoing standpoints the City-operated beaches are geographically located in the City of Los Angeles. Beach use and operation may dramatically affect the local City resident of the beach communities. The benefit to City residents of local government control of all factors influencing the day-to-day circumstances and conditions of the local jurisdiction must be weighed in relation to the divesting of a portion of that jurisdiction or operation in order to achieve economy, efficiency and unified planning. We believe this to be the overriding decision which must be made in considering the transfer. Other issues raised in this report and the previously referenced report of the Recreation and Parks staff, are basically questions of method and conditions of implementation.

#### State of California

Section 5007 of the Public Resources Code of the State of California authorizes the State Department of Parks and Recreation to enter into agreements with cities, counties and other political subdivisions of the State for the operation and maintenance of lands for the purpose of the State Park System. Pursuant to such agreement the State and the local jurisdiction may cooperate to acquire privately-owned property for recreational purposes. In 1947, in accordance with a master plan of beaches adopted by the County of Los Angeles, the City and the State entered into an agreement to acquire and to place under the jurisdiction of the City certain beach properties owned by the State, the City, and private persons. As part of the agreement, the

(Findings Continued)



City gave title to certain beach properties to the State and then was given a lease to all beach properties owned by the State. The first agreement of this kind concerned the beach property known as Dockweiler Beach which is generally located along Playa del Rey between the City of El Segundo and Venice Beach. In 1948, a second agreement was formed concerning Will Rogers State Beach which is located north of the City of Santa Monica to the city limits of Los Angeles City. In 1963, a third agreement was formed between the State and the City, which provided for operation and maintenance of a small beach (Royal Palms) located at the western side of the Palos Verdes Peninsula.

On August 2, 1974, representatives of this office met with Mr. William Penn Mott, Jr., Director, Parks and Recreation Department, State of California, for the purpose of discussing the State's position with regard to transfer of operation of State-owned beaches to the County. Mr. Mott indicated he would endorse such an approach, and, in fact would greatly prefer to have one operator for all beaches within the County.

By letter to the Mayor's Office (August 7, 1974) Mr. Mott noted that three years ago, his staff conducted a survey of beaches in the Los Angeles County area. The recommendation was that the Los Angeles County Department of Beaches should be the appropriate agency to operate all beaches in the County. Mr. Mott points out in his communication:

"As beaches are certainly regional in nature, this conclusion is most logical. It would allow expenses to be spread evenly among all County taxpayers. The merger would result in consistent lifeguard and maintenance operations, as well as training and quality of personnel."

"From the State's point of view, it would be no problem to convert present State contracts from City to County. However, it would be necessary for the City to determine within the framework of its own laws and policies whether such a transfer is either feasible or legally possible. The one reservation I would have is that all revenues derived from the operation of the beaches would be used for the purpose of creating an overall beach plan and for the implementation and maintenance of the capital improvements envisioned by this plan."

#### Beach Operations

As previously noted the City of Los Angeles now operates and maintains the 14.1 miles of beaches. This portion of the City's recreation program includes lifeguard services, beach maintenance, parking services and recreation programming. A total of 139.3 full-time equivalent personnel are assigned to these tasks as follows:

(Findings Continued)





purpose. Such use was mandated when the contract concessionaire went out of business.

Beach operations are expensive, however, a portion of the expense is defrayed by concession income and County contribution for operations. The financial picture is stated as follows using 1972-73 data (last completed reported data):

<u>Category</u>	<u>Total Amount</u>
Costs:	
Lifeguard service	\$ 909,052
Construction	70,775
Maintenance	498,208
Parking lots	112,500
Operating Costs	<u>\$ 1,590,535</u>
Overheads:	
Departmental	\$ 169,843
General City Indirect Costs	348,077
	<u>\$ 517,920</u>
Total Cost	<u>\$ 2,108,455</u>
Revenue:	
Beach concessions	\$ 47,928
Parking revenues	377,514
County participation	225,455
	<u>\$ 650,897</u>
Cost less revenue	<u>\$(1,457,558)</u>

The County of Los Angeles, Department of Beaches, operates 9.6 miles of beach. The actual expenditure (not including overhead) associated with that operation for 1972-73 was \$2,354,856. Revenue from concessions totaled \$117,922 for a net cost of \$2,236,934. In addition, County residents were taxed an additional \$425,455 for financial support to the Cities of Los Angeles, Long Beach and Santa Monica for operation of beaches.

The question arises what is the financial benefit to the City taxpayer to consolidation of the beach operations. Based on the County cost of operations of its beaches (\$2,236,934) and 1972-73 County assessed valuation (\$21,167,381,796) the taxpayer was charged \$.0106 per \$100 assessed valuation for County beach operations. The amount was levied on all County taxpayers including residents of the City of Los Angeles.

In addition to the above, the County tax rate was \$.0020 per \$100 assessed valuation for the previously mentioned \$425,455 for the County contribution to cities which operate their own beaches.

(Findings Continued)



City taxpayers were assessed for the operations of City beaches. Revenue in the amount of \$939,638 was required (indirect cost not included) to fund the beach operation. Based on that cost and the City's assessed valuation (\$8,172,147,036) the City charge was \$.0115 per \$100 assessed valuation for operation of City beaches.

In summary the 1972-73 tax rates for County and City were as follows:

<u>Purpose</u>	<u>Rates</u>	
	<u>City</u>	<u>County</u>
County operation	\$.0106	\$.0106
City operation	.0115	---
County participation	.0020	.0020
Total Rate	\$.0241	\$.0126

The assessed valuation (including homeowners and business inventory exemptions) of the City of Los Angeles comprises 38.61 percent of that of the County of Los Angeles. On that basis the following table compares the dollar contribution of the two jurisdictions to beach support:

<u>Purpose</u>	<u>City of L.A.</u>	<u>Revenue</u>	
		<u>County</u> <u>(excluding</u> <u>City)</u>	<u>City &amp; County</u>
County operation	\$ 863,680	\$1,373,254	\$2,236,934
City operation	939,638	---	939,638
County participation			
Los Angeles	87,048	137,407	225,455
Santa Monica	38,610	61,390	100,000
Long Beach	38,610	61,390	100,000
Total	\$1,967,586	\$1,634,441	\$3,702,027

Based on the 1972-73 direct cost of operation, the City of Los Angeles tax base contributes substantially more revenues to County-wide beach operations than the proportionately larger remaining portions of the County.

Assuming the operations of the beaches were consolidated at the same level of service and cost (\$3,602,027) a combined tax rate for the operation would be \$.0170 per \$100 assessed valuation (based on 1972-73 figures). The effect would be to decrease the City's tax rate for beach operations and maintenance by \$.0071 while increasing the County rate by \$.0044 as follows:

(Findings Continued)



Current	\$ .0241	
Consolidated	.0170	
Change if function consolidated	\$(-.0071)	\$

This approach is believed to be more equitable due to the regional nature and use of the beaches.

We have not attempted to forecast economies or increased cost which might accrue due to the consolidation of beach services. We know salary and retirement cost would increase for lifeguard personnel. We are informed the County charges fifty cents for beach parking while the City charges one dollar. However, if we were to take the most pessimistic view that the City portion of lifeguard services would double in cost (which would necessitate a substantial increase in personnel) and parking revenues would decrease by fifty percent the following financial picture would present itself:

<u>Direct Cost:</u>	
Lifeguard service	\$1,618,104
Construction	70,725
Maintenance	498,208
Parking lots	212,500
	<u>\$2,400,537</u>
<u>Revenue:</u>	
Beach concession	47,928
Parking revenues	198,757
County parking portion	225,455
	<u>\$ 472,140</u>
Cost less revenue	<u>\$2,037,447</u>

The assumed operating deficit of \$2,037,447 for County operations what are now City beaches would require a County-wide tax rate of \$.0096. This would still produce a benefit to the City taxpayer: now pays \$.0115 for City operation as discussed earlier in this report.

#### Transfer of Personnel

If the functions of operation and maintenance of City beaches are consolidated with the County of Los Angeles transfer of personnel could be accommodated with relatively little loss to the City of current employees. There are, however, many aspects of the transfer of personnel that are subject to negotiation as prescribed in the Los Angeles County Charter (section 56 3/4).

(Findings Continued)



The critical portion, transferring the City's lifeguard operations to the County, involves a switch in retirement systems. City employees would gain a great deal in actuarial benefits if they were transferred to the County's Safety Retirement program. We are informed that this facet alone has brought the affected employees solidly in favor of the transfer. The effecting of the remainder of the fringe benefit transfer must be guided by existing permissive laws and past practices, particularly as experienced by the City in transferring the functions of Public Defender and Health Services to the County of Los Angeles and the more recent experience of the City of Santa Monica in transferring its lifeguard personnel to the County.

From discussions held by this office with the Director, Department of Beaches, County of Los Angeles, we perceive no reduction of service to the public. By virtue of the fact that County lifeguards receive training through the Los Angeles County Sheriff's Academy and further training in paramedic skills, and the fact that it is the County's policy to staff the beaches with safety personnel at a higher level than the current staffing provided by the City.

In considering the transfer of the lifeguard series to the County of Los Angeles there are several aspects which will have to be fully explored. Inasmuch as the retirement benefits to County lifeguards are significantly better due to their inclusion in the system, there is a probability that each individual transferred to the County will be required to personally contribute an additional amount of money into the County Safety Retirement Fund to gain full benefits under that system. Some employees, due to their length of service with the City of Los Angeles, may have to contribute several hundred dollars. There is an additional possibility (although the employees may lose portions of other benefits even as vacation credit, layoff seniority, etc. While there appears to be some reasons why City personnel employed in the lifeguard operations wish to transfer to the County of Los Angeles (higher salaries and better retirement system) all aspects of such a transfer must be considered for all personnel involved.

As previously noted in this report numerous positions other than lifeguard are allocated to beach operations. The amount to transfer employees (other than those in the lifeguard service) would be transferred with the function to the County of Los Angeles at this time known. It is possible the City of Los Angeles could transfer the regular full-time employees either throughout the Department of Recreation and Parks or in other departments of City. There appears to be some benefit to the employees in the beach maintenance and operation functions (in the series) to transfer to the County of Los Angeles.



representatives. If the decision is made a substantial effort will be required on both the County and City levels to assure an orderly transition of personnel and benefits.

### Oil Funds

The City has received approximately \$7.5 million in revenues from leases permitting oil-drilling on city-owned beaches. The financial history of these two types of oil revenues are described in the following two sections:

#### Oil Revenue Fund

The Department's Oil Revenue Funds consist primarily of revenues which the Department receives from leases authorizing oil-drilling on city-owned beaches. The City receives three types of income from drilling activities: bonus payment, yearly royalty payments, and accrued interest from investment of funds.

The use of these funds does not require the approval of the State Lands Commission, but they are primarily used for beach improvement and have been specifically earmarked by the Board of Recreation and Parks Commissioners for Phase I of the Beach Development Program.

Following is a summary, as of January 31, 1974, of the projects which have been financed or are to be financed by the Oil Revenue Funds:

<u>Facilities</u>	<u>Allocation of Oil Funds</u>
Venice Beach	\$1,477,389
Will Rogers Beach	489,306
Cabrillo Beach	1,301,424
Dockweiler Beach	696,101
Point Fermin	88,734
Royal Palms	61,065
Wilders Addition	47,620
Del Rey Lagoon	148,794
Beach Equipment & Professional Services	370,810
Total	\$4,681,229

The City, on the average, is receiving approximately \$90,000 annually in royalty income from the Socorro Mobil Oil Company, Inc. for oil-drilling on Venice Beach.

The financial status of the Oil Revenue Funds, as of January 31, 1974, is summarized in the following:

(Findings Continued)



## Oil Revenue Fund 6-30-74

Donor Payments		
1965	Mobil	\$1,650,550
1967	Standard	1,071,137
	City of Los Angeles	1,000,721
	Interest and Dividends	528,116
	Other	1,702
	<b>Total Receipts</b>	<b>\$4,250,626</b>
	Expenditures to date	\$3,491,238
	Incumbrances to date	338,144
	<b>Total</b>	<b>3,829,382</b>
	<b>Unencumbered Balance</b>	<b>\$ 429,444</b>

## Tideland Oil Funds

In June 1966, the Standard Oil Company of California paid the City \$2,375,000 for a lease to drill for oil in submerged lands south of the San Pedro breakwater. These funds were originally placed in special trust account (No. 6120) and were held by the City in trust for the State. On August 12, 1971 (Council File 70-4655, Sup. 3), the City Council authorized a transfer of these funds in the amount of \$2,800,000 (the original amount plus some interest) from Fund 6120 Standard Oil San Pedro Off Shore Oil and Gas Lease (Tideland Oil Funds) to the Recreation and Parks Fund with the understanding these funds were to be utilized specifically in the Beach Development Program approved by the Board of Recreation and Park Commissioners, City Council and the State Lands Commission.

On November 3, 1971, the \$2,800,000 in cash was transferred to Recreation and Parks Fund Account 923001, Beach Capital Improvements. The funds were transferred to the Recreation and Parks Fund with the same stipulation.

Since these funds were derived from tide and submerged lands, which were held in trust by the City of Los Angeles for the people of the State of California, the purposes for which the Tideland Oil Funds be expended is restricted by the provisions of Chapter 146 of the Statutes of 1970. Basically, this legislation permits a wide variety of uses for these funds provided they are matters of State interest and benefit, but mainly they have been stipulated for purposes in connection with commerce, navigation, fishery and also, this statute requires that any capital improvement involving an amount in excess of \$250,000 must be reviewed and approved by the State Lands Commission.



The Recreation and Parks Commissioners, the City Council and the State Lands Commission approved the use of these funds for Phase II and III of the Beach Capital Improvement Program established by the Department of Recreation and Parks.

The Tideland Oil Funds as of January, 1974, were allocated to finance the improvements of the following facilities:

<u>Facility</u>	<u>Beach Program (Phase II &amp; III)</u>
Venice Beach	\$1,017,028
Will Rogers Beach	694,915
Cabrillo Beach	1,165,675
Point Fermin	4,360
Royal Palms	97,400
Dockweiler Beach	179,402
Total All Beaches	<u>\$3,158,780</u>

Standard Oil surrendered its lease in September 1970, thus, the only income presently being added to these Tideland Oil Funds is the interest accrued by investing the funds in Treasury Notes. Following is the status of these funds as of June 30, 1974:

Tideland Oil Fund 6-30-74

1971	Original amount plus accrued interest	\$2,800,000	
1972	Balance of accrued interest from Account 6120	253,613	
	Miscellaneous	39	
1972	Interest	84,383	
1973	Interest	31,003	
1974	Interest	88,454	
	Total Available		\$3,257,492
	Expenditures to date	\$1,264,410	
	Encumbrances to date	<u>1,007,372</u>	
	Total		<u>2,271,782</u>
	Unencumbered Balance		<u>\$ 985,710</u>

We believe any proposal to consolidate the operation of City beaches with the County should include as a component City retention of any Tideland and Oil bonus revenues, that retention to include control of expenditure, programming (including reprogramming) within legal permissible limits.

(Findings Continued)



### Implementations

We have discussed with the City Attorney's representatives the manner in which the County might take over operations of all beaches currently operated by the City.

On August 29, 1974, the City Attorney rendered an opinion which dealt with certain aspects of the proposed transfer of jurisdiction. Briefly, the following points were contained in the opinion:

- a. It is not necessary for the Board of Recreation and Park Commissioners to approve a transfer of jurisdiction as contemplated herein. If the transfer is accomplished by joint powers agreement, such action is taken by the governing bodies of the involved entities (i.e., the City Council acting for the City).
- b. Charter Section 170 which governs the inviolability of recreation and park sites refers, in effect, to the function performed and not to the agency performing it.
- c. Existing agreements between the City and the State may be transferred by Council action. Action of the Board of Recreation and Park Commissioners is not required.

The City Attorney's opinion suggests that a joint powers agreement would be the best means to accomplish a transfer of jurisdiction as outlined in this report. This approach would permit full control by the governing bodies of the City and County and would not require the City to divest itself of any real property.

If the ultimate decision is made on the part of the Mayor and Council to pursue this course, we also believe the most advantageous method of bringing about the transfer would be through the vehicle of a joint powers agreement. An agreement would be drawn to clearly outline the responsibilities and rights of the parties permitting the City full partnership with the other concerned governmental agencies in the planning of beach development and utilization.

As we view the issue the City would only transfer the operation and maintenance (including parking lots, concessions, lifeguard service and beach maintenance), therefore the agreement would stipulate City retention of fee title and City-owned beaches, rights to Tideland Oil funds and oil bonus revenues, City retention and operation of the Cabrillo Marine Museum and other appropriate covenants and restrictions. The answers to the questions raised by the Department's report should be addressed in the context of the preparation of the joint powers agreement with all concerned City agencies providing input.

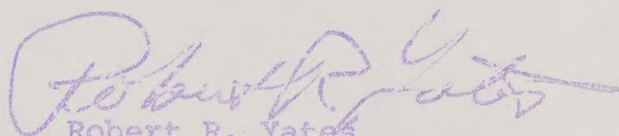
(Findings Continued)



Conclusion

The transfer of the operation of City beaches to the County would appear beneficial from the standpoint of the City taxpayer. A reduction in his tax burden and in the budget of the City of Los Angeles could be realized.

The details and process of bringing about the transfer are numerous and complex. As discussed in the foregoing sections of this report, several questions are raised for which we cannot at the present time provide complete answers. We are still looking into the question of oil revenue use, concession and personnel transfer and what equipment and facilities should be involved in the proposal. We foresee no insurmountable problems that would preclude the Mayor and Council from making the policy determination, with the County Board of Supervisors, that such transfer be pursued with appropriate City agencies being directed to begin efforts to accomplish same.



Robert R. Yates  
Principal Administrative Analyst

APPROVED:

Assistant City Administrative Officer

RRY:bc

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